

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
CHICAGO

IN RE:

Eboni M. Armour-Fraley,

Debtor.

Bankruptcy Case No: 19-28445
Chapter 13
Judge Donald R. Cassling

NOTICE OF MOTION FOR RELIEF FROM AUTOMATIC STAY & CO-DEBTOR STAY

TO:

Eboni M. Armour-Fraley
9199 S Burnside
Chicago, IL 60619

Represented By: **David M Siegel**
davidsiegelbk@gmail.com

Travis Fraley
9199 S Burnside
Chicago, IL 60619
(Non-Filing Co-Debtor)

PRA Receivables Management, LLC
claims@recoverycorp.com

Tom Vaughn
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Atlas Acquisitions LLC
bk@atlasacq.com

Consumer Portfolio Services, Inc., by and through its attorneys, Turiciano Law, S.C., has filed papers with the Court to obtain Relief from the Automatic Stay and Co-Debtor Stay.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one).

Please take notice that on Thursday, February 13, 2020 at 9:30 a.m., I will appear before the Honorable Judge Donald R. Cassling at:

***Everett McKinley Dirksen United States Courthouse
219 South Dearborn Street
Room 619
Chicago, IL 60604***

and present the attached Motion. You may appear if you so choose. If you do not wish the Court to grant the relief from automatic stay as requested, or if you want the Court to consider your views on the Motion, then your appearance is required.

Dated at Waukesha, Wisconsin, this 24th day of January, 2020.

/s/ David J. Turiciano
David J. Turiciano
Attorney for Movant
Consumer Portfolio Services, Inc.

TURICIANO LAW S.C.
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Certificate of Service

I, David J. Turiciano, an attorney, state that on January 24, 2020, the above Notice of Motion and the appended Motion for Relief from Automatic Stay and Co-Debtor Stay were filed and served on all parties to whom it is directed, either via the Court's Electronic Notice for Registrants or via First Class Mail, as identified above.

/s/ David J. Turiciano

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Consumer Portfolio Services, Inc. (hereinafter “CPS”), by and through its attorneys,
TURICIANO LAW S.C., states as follows:

1. CPS is engaged in the auto loan business.
2. On July 25, 2016, the Debtor executed a certain Retail Installment Contract for the purchase of a Used 2015 Chrysler 200 VIN 1C3CCCAB6FN621250. This Retail Installment Contract was subsequently assigned to CPS, and a true and correct copy is attached hereto as **Exhibit A**. A true and correct copy of the State of Illinois Certificate of Title of a Vehicle is attached hereto as **Exhibit B**.
3. The Debtor filed a petition for relief under Chapter 13 of the Bankruptcy Code on October 7, 2019.
4. The Debtor has failed to comply with the terms of the Retail Installment Plan by failing to surrender the vehicle to CPS and failing to remit payments to CPS commencing November 5, 2019 and is in arrears a total of \$2,729.91 for payments due under the plan. Evidence of Debtor's outstanding debt is provided in the Primary Collection Data Spreadsheet attached hereto as **Exhibit C**.
5. The Debtor has failed to provide proof that the vehicle is insured.
6. The vehicle is not necessary to a reorganization and, therefore, relief from the stay is appropriate pursuant to § 362(d) of the Bankruptcy Code.

7. CPS is entitled to relief from the Co-Debtor stay because individual Travis Fraley is a co-signer on the Retail Installment Contract dated July 25, 2016. CPS is entitled to relief from the Co-Debtor Stay pursuant to U.S.C. §1301 (c)(2).

WHEREFORE, CPS prays for relief from the automatic stay in this matter, terminating the automatic stay as to CPS, granting relief from the stay of court actions against the Debtor and Co-Debtor, allowing CPS to liquidate its interest in the automobile, and such other relief as is just and equitable.

Dated at Waukesha, Wisconsin this 24th day of January, 2020.

/s/ David J. Turiciano
David J. Turiciano
Attorney for Movant
Consumer Portfolio Services, Inc.

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